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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,892	12/19/2001	Tetsuya Tanaka	K6510.0057/P057	8782

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EXAMINER	
DOAN, DUYEN MY	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/020,892	TANAKA ET AL.	
	Examiner	Art Unit	
	Duyen M. Doan	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5 and 7-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-5 and 7-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 July 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1,3-5,7-9 are amended.

Claims 2,6,10-12 are cancelled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-5, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gamo et al (us pat 6795124) (hereinafter Gamo) and Niijima (us pat 5900914) in view of Kaji et al (us 6306039).

As regarding claim 1, Gamo disclosed the respective terminal devices comprising vertical synchronizing signal generating means for generating vertical synchronizing signals, and control means for making synchronization control operations and data communication, based on the vertical synchronizing signals respectively (see Gamo col.3, lines 57-67, col.4, lines 1-42), wherein the respective terminal devices extract the synchronizing signals from either of broadcasting signals, time reference signals and an a.c. power source inputted from the outside other than the respective terminal devices (see Gamo col.1, lines 10-15).

Gamo did not expressly disclose the vertical synchronizing signals generating means of the respective terminal devices output the synchronizing signals as vertical synchronizing signals when the synchronizing signals are extracted but outputting back-up vertical synchronizing signals when the synchronizing signals are not extracted, the control means of the respective terminal devices make synchronization control operations; and data communication based on the vertical synchronizing signals or the back-up vertical synchronizing signals.

Niijima taught the vertical synchronizing signals generating means of the respective terminal devices output the synchronizing signals as vertical synchronizing signals when the synchronizing signals are extracted but outputting back-up vertical synchronizing signals when the synchronizing signals are not extracted (see Niijima col.6, lines 13-67, col.8, lines 42-45, lines 57-62, when the horizontal synchronizing signals are lost or error, self generated the back up signal).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Niijima to the method of Gamo to generate the back up signal when the synchronizing signal are not extracted, because by outputting the backup signal would help in producing the normal horizontal synchronizing signal even when the composite synchronizing signals are lost (see Niijima col.6, lines 13-24).

The combination of Gamo and Niijima did not disclose the control means of the respective terminal devices make synchronization control operations; and data

communication based on the vertical synchronizing signals or the back-up vertical synchronizing signals.

Kaji taught the control means of the respective terminal devices make synchronization control operations; and data communication based on the vertical synchronizing signals or the back-up vertical (see Kaji col.3, lines 3-13, col.6, lines 47-65, col.8, lines 1-17).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Kaji to the combination of Gamo and Niijima because by synchronizing terminal devices that are interconnected would enable users of the teminal devices communicate in real time and ensuring no time delay can be conducted on the network (see Kaji col.8, lines 1-15).

As regarding claim 3, Gamo-Niijima-Kaji disclosed the respective terminal devices make the synchronization control, based on synchronizing signals extracted from broadcasting signals of the same channel (see Kaji col.3, lines 3-13, col.6, lines 47-65, col.8, lines 1-17). The same motivation was utilized in claim 1 applied equally well to claim 3.

As regarding claim 4, Gamo-Niijima-Kaji disclosed when it is difficult to extract the synchronizing signals from the broadcasting signals in one of the respective terminal devices, the channel of the broadcasting signals is changed (see Kaji col.3, lines 3-13, col.6, lines 47-65, col.8, lines 1-17). The same motivation was utilized in claim 1 applied equally well to claim 3.

As regarding claim 5, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

As regarding claim 7-8, the limitations are similar to claims 3-4, therefore rejected for the same rationale as claims 3-4.

As regarding claim 9, the limitations are similar to claim 1, therefore rejected for the same rationale as claim 1.

Response to Arguments

Applicant's arguments with respect to claim1,3-5,7-9 have been considered but are moot in view of the new ground(s) of rejection. See the above office action for detail.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100